

REMARKS

The Restriction Requirement mailed 15 November 2005 restricts the 87 pending claims of the present application between twenty four inventive groups, including:

Group XXI, claims 64-78, drawn to a recombinant BTLA nucleic acid of SEQ ID NO:7, or encoding a polypeptide of SEQ ID NO:8; as well as vectors, host cells and methods of producing the polypeptide;

Group XXII, claims 64-78, drawn to a recombinant BTLA nucleic acid of SEQ ID NO:9, or encoding a polypeptide of SEQ ID NO:10; as well as vectors, host cells and methods of producing the polypeptide.

Applicant hereby elects Group XXI, claims 64-78, in respect of SEQ ID NOs:7 and 8. This election is made without traverse.

Applicant withdraws remaining claims 1-63, 79-87, as well as claims 64-78 in respect of SEQ ID NOs:9 and 10, as being drawn to non-elected invention. In addition, Applicant has cancelled claims 65, 66, 69, and 72, without admission or disclaimer. Applicant expressly reserves the right to pursue the subject matter of these withdrawn and canceled claims in a continuing application.

Applicant has amended pending claims 64, 67, 68, 70, 71, and 73-75, and added new claims 88-92, drawn to the subject matter of elected Group XXI. Consideration of the currently amended claims and the newly added claims is respectfully requested. Applicant points out that SEQ ID NO:6, recited in new claim 92, is the amino acid sequence of an allelic variant of human BTLA (see Example 4, page 71, line 35). Further support for new claim 92 is found, for example, in original claim 68 and at page 25, line 1 of the specification. Additionally, support for new claims 88-92 and for the currently amended claims is found, for example, in original claim 64, original claim 73, and in the paragraph beginning at page 25, line 27 of the specification. Support for the transmembrane limitation in amended claim 73 is found, for example, in the paragraph beginning at page 18, line 13 of the specification.

Finally, the present amendment corrects an obvious error in the specification as filed. Entry of the amendment is respectfully requested.

Respectfully submitted,
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